

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**AMERICAN FEDERATION FOR  
CHILDREN**

**and**

**Cases 28-CA-246878  
28-CA-262471**

**SARAH RAYBON**

**ORDER<sup>1</sup>**

The Respondent's Motion to Dismiss or in the alternative Motion for Summary Judgment is denied. The Respondent has failed to establish that there are no genuine issues of material fact and that it is entitled to judgment as a matter of law.<sup>2</sup>

Dated, Washington, D.C., March 2, 2021.

LAUREN McFERRAN

CHAIRMAN

WILLIAM J. EMANUEL

MEMBER

JOHN F. RING

MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel

<sup>2</sup> The Acting General Counsel argues that the Respondent's motion should be dismissed as untimely because it was filed with the Division of Judges rather than the Board as required by Sec. 102.24 of the Board's Rules and Regulations and there are now less than 28 days prior to the March 2, 2021 hearing for the motion to be timely filed. In light of the fact that no party has shown that it was prejudiced by the Respondent's procedural error in filing its motion with the Division of Judges, we accept the motion as timely filed.

